REMARKS

This amendment is responsive to the final rejection dated February 8, 2007.

Claims 7-21 and 24 have been canceled.

Claims 1, 2, 5 and 22 have been amended.

New claims 25-27 have been added.

A Notice of Allowance is requested for claims 1-6, 22, 23 and 25-27.

With regard to the final rejection dated February 8, 2007, Applicants provide the following remarks.

Applicants appreciate the acceptance of the correction to the Figures.

Applicants appreciate the acceptance of the Abstract.

Applicants appreciate the acceptance of the amendments to the Specification.

Applicants appreciate the previous §112, second paragraph, rejection being withdrawn.

Applicants appreciate the holding in abeyance of the double patenting rejections and confirm their willingness to file appropriate Terminal Disclaimer(s) upon indication of allowable subject matter herein.

CLAIM REJECTIONS—35 USC §102/103—BROOKS AND KAWAMURA

Various of the pending claims stand rejected under §102 and §103 over Brooks et al. (U.S. Patent No. 6,033,531) and Kawamura et al. (U.S. Patent No. 6,706,431 B2).

Applicants appreciate the detailed reasoning behind each of the rejections. Applicants respectfully submit that the pending claims are patentable. Applicants respectfully submit that the inclusion of the negative limitation "excluding a spectral conditioning catalyst" in each of the pending claims render all of the claims patentable over all the art of record.

Applicants note that several defined terms are now utilized in each of the pending claims. It is important for the Examiner to refer to these definitions to understand completely the metes and bounds of the pending claims. To assist the Examiner in this task, Applicants have reproduced some of the definitions below.

Applicants provide the definitions below to assist the Examiner, but recognize that not all defined terms have been included herein and respectfully request the Examiner to refer in detail to the "Definitions" section (i.e., beginning on page 14) of the specification, as needed.

"Condition" or "conditioning", as used herein, means the application or exposure of a conditioning energy or combination of conditioning energies to at least one conditionable participant ***prior to*** the conditionable participant becoming involved (e.g., being placed into a cell reaction system and/or prior to being activated) in the cell reaction system. ***(Emphasis added.)***

"**Conditionable participant**", as used herein, means reactant, physical catalyst, solvent, physical catalyst support material, reaction vessel, conditioning reaction vessel, promoter and/or poison comprised of molecules, macromolecules, ions and/or atoms (or components thereof) in any form of matter (e.g., solid, liquid, gas, plasma) that can be conditioned by an applied spectral energy conditioning pattern.

"Conditioned participant", as used herein, means reactant, physical catalyst, solvent, physical catalyst support material, reaction vessel, conditioning reaction vessel, physical promoter and/or poison comprised of molecules, ions and/or atoms (or components thereof) in any form of matter (e.g., solid, liquid, gas, plasma) that has been conditioned by an applied spectral energy conditioning pattern.

"Conditioning energy", as used herein means at least one of the following spectral energy conditioning providers: spectral energy conditioning catalyst; spectral conditioning catalyst; spectral energy conditioning pattern; spectral conditioning pattern; catalytic spectral energy conditioning pattern; catalytic spectral conditioning pattern; applied spectral energy conditioning pattern and spectral conditioning environmental reaction conditions.

"**Conditioning targeting**", as used herein, means the application of conditioning energy to a conditionable participant to condition the conditionable participant prior to the conditionable participant being involved, and/or activated, in a holoreaction system, said conditioning energy being provided by at least one of the following spectral energy conditioning providers: spectral energy conditioning catalyst; spectral conditioning catalyst; spectral energy conditioning pattern; spectral conditioning pattern; catalytic spectral energy conditioning pattern; catalytic spectral conditioning pattern; applied spectral energy conditioning pattern; and spectral environmental conditioning reaction conditions, to achieve (1) direct resonance ; and/or (2) harmonic resonance; and/or (3) non-harmonic heterodyne-resonance with at least a portion of at least one of the following conditionable participants: reactants; physical catalysts; promoters; poisons; solvents; physical catalyst support materials; reaction vessels; conditioning reaction vessels; conditioning reaction vessels and/or mixtures or components thereof (in any form of matter), said spectral energy conditioning provider providing conditioning energy to condition at least one conditionable participant by interacting with at least one frequency thereof, to form at least one conditioned participant which assists in producing at least one desired

reaction product and/or at least one desired reaction product at a desired reaction rate, when the conditioned participant becomes involved with, and/or activated in, a cell reaction system.

"**Direct resonance conditioning targeting**", as used herein, means the application of conditioning energy to a conditionable participant to condition the conditionable participant prior to the conditionable participant being involved, and/or activated, in a cell reaction system, said conditioning energy being provided by at least one of the following spectral energy conditioning providers: spectral energy conditioning catalyst; spectral conditioning catalyst; spectral energy conditioning pattern; spectral conditioning pattern; catalytic spectral energy conditioning pattern; catalytic spectral conditioning pattern; applied spectral energy conditioning pattern and spectral conditioning environmental reaction conditions, to achieve direct resonance with at least a portion of at least one conditionable participant (e.g..; reactants; physical catalysts; promoters; poisons; solvents; physical catalyst support materials; reaction vessels; conditioning reaction vessels and/or mixtures or components thereof in any form of matter), said spectral energy conditioning providers providing conditioning energy to condition at least one conditionable participant(s) by interacting with at least one frequency thereof to form at least one conditioned participant, which assists in producing at least one desired reaction product and/or at least one desired reaction product at a desired reaction rate, when the conditioned participant becomes involved with, and/or activated in, a cell reaction system.

"**Harmonic conditioning targeting**", as used herein, means the application of conditioning energy to a conditionable participant to condition the conditionable participant prior to the conditionable participant becoming involved, and/or activated, in a cell reaction system, said conditioning energy being provided by at least one of the following spectral energy conditioning providers: spectral energy conditioning catalyst; spectral conditioning catalyst; spectral energy conditioning pattern; spectral conditioning pattern; catalytic spectral energy conditioning pattern; catalytic spectral conditioning pattern; applied spectral energy conditioning pattern and spectral conditioning environmental reaction conditions, to achieve harmonic resonance with at least a portion of at least one conditionable participant (e.g.; reactants; physical catalysts; promoters, poisons; solvents; physical catalyst support materials; reaction vessels; conditioning reaction vessels; and/or mixtures or components thereof in any form of matter), said spectral energy conditioning provider providing conditioning energy to condition at least one conditionable participant(s) by interacting with at least one frequency thereof, to form at least one conditioned participant which assists in producing at least one desired reaction product and/or at least one desired reaction product at a desired reaction rate when the conditioned participant becomes involved with, and/or activated in, a cell reaction system.

"**Non-harmonic heterodyne conditioning targeting**", as used herein, means the application of conditioning energy to a conditionable participant to condition the conditionable participant prior to the conditionable participant being involved, and/or activated, in a cell reaction system, said conditioning energy being provided by at least one of the following spectral energy conditioning providers: spectral energy conditioning catalyst; spectral conditioning catalyst; spectral energy conditioning pattern; spectral conditioning pattern; catalytic spectral energy conditioning pattern; catalytic spectral conditioning pattern; applied spectral energy conditioning pattern and spectral conditioning environmental reaction conditions, to achieve non-harmonic heterodyne resonance with at least a portion of at least one conditionable participant (e.g.; reactants; physical catalysts; promoters; poisons; solvents; physical catalyst support materials; reaction vessels; conditioning reaction vessels and/or mixtures or components thereof in any form of matter), said spectral energy conditioning provider providing conditioning energy to condition at least one conditionable participant by interacting with at least one frequency thereof, to form at least one conditioned participant which assists in producing at least one desired reaction product and/or at least one desired reaction product at a desired reaction rate when the conditioned participant becomes involved with, and/or activated in, a cell reaction system.

"Spectral conditioning catalyst", as used herein, means electromagnetic energy which, when applied to a conditionable participant to form a conditioned participant, assists the conditioned participant to act as a catalyst in a cell reaction system, for example, electromagnetic energy having a spectral conditioning pattern which causes the conditioned participant to affect, control, or direct a reaction pathway in a cell reaction system when the conditioned participant becomes involved with, and/or activated in, the cell reaction system.

§112 OBJECTIONS/REJECTION

With regard to claim objections/rejections set forth on pages 9-10 of the Action, Applicants appreciate the suggestions of the Examiner and have appropriately amended the pending claims. Accordingly, the §112 issues should be moot.

Applicants believe that pending claims 1-6, 22, 23 and 25-27 contain allowable subject matter. However, should the Examiner have any questions regarding this communication, the Examiner is invited to telephone Applicants' undersigned representative.

Respectfully submitted,

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